

SAFEPLAN

A court-based civil advocacy program for victims of domestic violence, sexual assault, and stalking seeking protection from abuse through the 209A Restraining Order and 258E Harassment Prevention Order processes.

Annual Report to the Massachusetts Legislature



**Submitted by the
Victim and Witness Assistance Board
Massachusetts Office for Victim Assistance**

**One Ashburton Place, Room 1101, Boston, Massachusetts 02108
Phone (617) 586-1340 fax (617) 586-1341
www.mass.gov/mova**

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Preface

This report on the SAFEPLAN Program, Massachusetts's domestic and sexual violence civil court advocacy program, is submitted to the Massachusetts House and Senate Committees on Ways and Means as required by Massachusetts State Budget **Line Item 0840-0101**, which states:

For the salaries and administration of the SAFEPLAN Program, to be administered by the Massachusetts Office for Victim Assistance; provided, that the office shall submit to the House and Senate Committees on Ways and Means, not later than February 2, a report detailing the effectiveness of contracting for the program including, but not limited to, the number and type of incidents to which the Advocates responded, the type of services and service referrals provided by the Advocates, the cost of providing such services and the extent of coordination with other service providers and state agencies.

For additional copies of this report, or any questions regarding the SAFEPLAN Program please contact:

Christopher Klaskin
Director of Public Affairs
1 Ashburton Place, Room 1101
Boston, MA 02108
617-586-1354
Christopher.Klaskin@state.ma.us

SAFEPLAN Annual Report to the Legislature

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**An Annual Report to the Massachusetts Legislature from the Massachusetts Office
for Victim Assistance, SAFEPLAN Program, Line Item 0840-0101**

Executive Summary

SAFEPLAN is Massachusetts's civil court advocacy program that has assisted domestic and sexual violence victims for over 20 years. This annual report to the legislature is prepared by the Massachusetts Office for Victim Assistance (MOVA) to detail the overall impact of the program and ongoing need for SAFEPLAN services.

SAFEPLAN operates as a unique partnership between MOVA, the courts, and 14 community-based domestic violence and sexual assault agencies. Currently, 51.61 full-time equivalent SAFEPLAN Advocates are stationed in 50 courthouses (36 district; 14 probate and family) in 10 counties throughout the state: Barnstable, Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Plymouth, and Worcester.

Through their knowledge, expertise, and familiarity with their communities, SAFEPLAN Advocates bridge the gap between the court system and the array of local support services available to victims. During 2015, SAFEPLAN Advocates assisted **19,938** clients (**8,146** of which were new clients) and provided **52,122** referrals to other crucial services. **69% of new SAFEPLAN clients** reported no prior contact with a domestic violence or sexual assault program before coming to court - illustrating that SAFEPLAN Advocates are a vital entry point for victims to access needed services.

In 2015, SAFEPLAN was supported through four funding sources: State line item 0840-0101, the Violence Against Women Act (VAWA), the Edward J. Byrne Memorial Grant (Byrne), and the Victims of Crime Act (VOCA). However, in FY2016 (July 1, 2015), Byrne Funding was eliminated and VAWA funding was reduced by approximately 33% - **which amounted to a \$338,900 reduction in program funding.**

Despite these reductions, an increase to SAFEPLAN's state line item (0840-0101) in FY2016 and the reallocation of VOCA resources helped to sustain SAFEPLAN programming throughout 2015. Unfortunately, the reallocation of VOCA funding toward SAFEPLAN reduced resources available to other government and community-based victim programming supported by VOCA, but we are nonetheless pleased to report that SAFEPLAN staffing will remain stable in 2016 if state and Federal appropriations remain unchanged in FY2017.

This past year brought about an exciting opportunity for SAFEPLAN to expand in a county that was previously not served, Essex County. Thanks in large part to additional state dollars invested in the program, MOVA entered into contracts with two new community-based domestic violence programs that will provide services in Haverhill District Court, Lawrence District Court, Lynn District Court, Salem District Court, and Essex Probate and Family Court (Lawrence and Salem locations) starting in January 2016. This is the first time in well over a decade the program has been able to expand into a new county. As such, this programming will be closely monitored to highlight

unanticipated needs and challenges to better predict funding amounts and accurate timelines for future expansion planning.

Understanding the budget shortfall facing the Commonwealth in FY2017, **MOVA is requesting level funding for the SAFEPLAN line item 0840-0101 (\$1,000,458) to sustain current staffing levels and court locations.** Our goal has always been to expand the program statewide, however additional state resources will be needed to expand in counties we currently do not serve (Dukes, Nantucket, Norfolk, and Suffolk). We also strive to increase capacity in counties we currently serve, namely Middlesex County where only the Middlesex Probate and Family Court is being served. However, this too will require additional state dollars to fully implement. MOVA and our network of SAFEPLAN host agencies are grateful for the Legislature's willingness to further invest in this life saving program and we look forward to creating other opportunities to grow the program when possible.

Section 1: FY2014 SAFEPLAN Program Overview and Outcomes Statistical Information

1.1 What is SAFEPLAN?

The concept behind SAFEPLAN emerged from a 1993 survey of all courts, District Attorneys' Offices, legal service agencies, and community-based domestic violence programs in the state. The results indicated a strong need to have specialized advocates stationed in the courts who can serve the complex needs of domestic violence victims that go beyond the traditional services and protections provided by the court. SAFEPLAN was established in 1995 to fill this gap and was uniquely designed to provide court advocacy services while also connecting victims to other community-based resources available to help.

In 2015, 58 SAFEPLAN Advocates were based in 32 district and 12 probate and family courts in 9 counties throughout the Commonwealth. Over 80% of funding from the state line item 0840-0101 funds these direct service positions, but equally as important is this line item serves as a match requirement for two of the three federal funding sources that support SAFEPLAN, the Victim of Crime Act (VOCA) and Violence Against Women Act (VAWA). Through which, the state's investment in SAFEPLAN in FY2016 brought an additional \$1,327,388 of federal funding to sustain these critical and innovative services.

1.2 Number of Clients Served

During 2015, SAFEPLAN Advocates served **8,146 new clients** across all courts, made **19,938 total client contacts** and provided **52,122 referrals** to other community-based services (see Appendix A for service data per court and county).

There are several challenges that SAFEPLAN Advocates face in trying to assist all victims who seek a 209A or 258E protective order. Barriers such as lack of appropriate court certified interpreters (both for our non-English speaking clients and the deaf community) or conflict of interest (e.g. the Advocate had previously assisted the client's partner) may preclude a SAFEPLAN Advocate from assisting those clients. SAFEPLAN Advocates do not provide assistance to plaintiffs seeking a 258E Harassment Protection Order outside of victims of domestic violence, sexual assault, and stalking. Furthermore, due to funding limitations, not all of the courts served by SAFEPLAN are able to be staffed throughout the business day. This has led to a gap in services in some counties which will require further investment in the program to fill these vacancies.

1.3 Types of Incidents and Violence Reported by SAFEPLAN Clients

SAFEPLAN clients petition the court for protective orders and must identify reasons for their request based on the Abuse Prevention Act (G.L. c. 209A) or an Act Relative to

Harassment Prevention Orders (G.L. c. 258E). Although these numbers do not accurately reflect the extent of a client's history of violence, **in 2015, 15,537 occurrences of abuse were reported by new SAFEPLAN clients** – with some clients reporting more than one type of abuse. The following types of abuse were reported:

• Attempted Physical Harm (209A)	3,040
• Caused Physical Harm (209A)	3,166
• Imminent Fear (209A)	6,510
• Sexual Assault (209A)	336
• Unknown	45
• Sexual Assault (258E)	248
• Stalking (258E)	402
• Criminal Harassment (258E)	1,790

1.4 Protective Order Advocacy and Assistance Provided

The types of advocacy services provided by SAFEPLAN Advocates include:

Emergency Judicial Response (EJR):

SAFEPLAN Advocates assist victims who come into court to extend an emergency protective order issued through the EJR when the courts are closed. Typically, EJR orders are issued through a police department and often the defendant has been arrested or a warrant has been issued. SAFEPLAN Advocates provide these victims with information about the 209A or 258E order, help them develop safety plans, and provide direct referrals to a Victim Witness Advocate who would handle any accompanying criminal cases.

Ex-parte Hearing:

SAFEPLAN Advocates address immediate safety concerns through crisis intervention, assessment of a client's risks, creation of a personalized safety plan, and by ensuring that a victim is aware of the options available to increase safety. Advocates make referrals to other programs and resources based on a client's individual needs. SAFEPLAN Advocates explain the protections available under the 209A and 258E laws, the court process, and assist victims with completing the 209A and 258E application. They help victims understand what to expect when they go before the judge and, in most cases, stand beside the victim during the hearing for support.

After the hearing, the Advocate explains what the judge has ordered, how the 209A or 258E order is served to the defendant, and how the victim can confirm it has been served. The Advocate also explains when to return for the hearing after notice, what to expect at the hearing after notice, and what the victim should do if the order is violated or the defendant attempts to contact them.

Hearing After Notice:

Victims seeking protective orders initially receive a temporary order that is valid for up to 10 business days. At the end of this 10-day period, both the defendant and the victim are requested to appear at a judge's hearing. If the victim wishes to extend the order beyond the initial 10 days, he/she must appear at this hearing. The hearing after notice is typically intimidating for the victim and is often confrontational. Without the support of a SAFEPLAN Advocate, victims are often reluctant to continue the protective order beyond the initial stage. Continued protective orders can contribute to increased safety for victims and their children and stronger sanctions against those who violate the orders. When it is safe, SAFEPLAN Advocates will call victims to remind them of their hearing date, answer questions, modify the safety plan if needed, and prepare them for their appearance in front of a judge.

Extension:

In-court advocacy is provided to victims seeking to extend a protective order beyond one year. Victims who request a protective order for longer than one year may still be facing an abusive situation and are in need of advocacy services to remind them of their options and to continue to plan for their safety.

Modification:

SAFEPLAN Advocates are available to assist victims seeking to modify an existing order as circumstances change or as an alternative to terminating the entire order.

Termination:

SAFEPLAN Advocates also work with victims who choose to terminate their protective order. It is especially critical that Advocates provide services to these victims since they are often choosing to reconcile with their abusive partners. Victims in this situation require specialized safety planning that can help them remain safe while continuing to have contact with their abuser. SAFEPLAN Advocates may also be able to offer information on options that will address the victims' concerns while leaving some protections in place (i.e. terminate the stay away order but not the refrain from abuse provision).

***NOTE:** It was affirmed by judges and court staff that Advocates are particularly useful in these instances when they can "sit down with a plaintiff and determine why she/he is making the request (to terminate), to ascertain that she/he understands the implications of terminating the order, and to discuss whether or not there might be some other solution that would address the parties' concerns."*¹

1.5 Referrals Facilitated

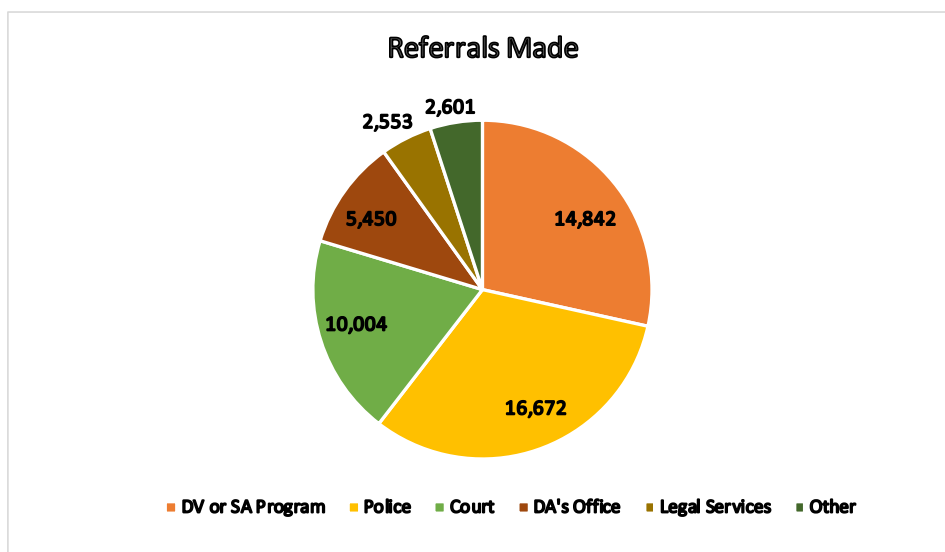
As previously noted, SAFEPLAN intake data from 2015 shows that 69% of SAFEPLAN clients had no prior contact with a domestic violence or sexual assault program before coming to court. Research supports and reaffirms the importance of early advocate

¹ Administrative Office of the Trial Court. *Report of the Domestic Violence Court Assessment Project, Progress and Challenges: Viewpoints on the Trial Court's Response to Domestic Violence*, August, 2003.

intervention, “the early involvement of an advocate trained in domestic violence would enable a survivor to better progress through the states of change as he/she struggles with definitional questions about domestic violence and seeks out information, resources, and ways to achieve safety and independence.”²

This underscores the importance of having SAFEPLAN Advocates available to assist victims to disseminate comprehensive information, assistance with the court process, and, most importantly, to facilitate access to additional resources beyond protective orders that further support victims and their children. All referrals are provided to SAFEPLAN clients as options, and are selected by the Advocate based on each client’s individual situation, needs, and requests.

SAFEPLAN Advocates are extremely knowledgeable regarding a variety of services in their region, and through networking and relationship building, are able to provide ‘warm’ referrals to clients. SAFEPLAN Advocates provided **52,122 referrals** for services during 2015 to a variety of stakeholders, but primarily to local domestic and sexual violence service agencies and police departments.



Referrals to Local Domestic Violence and Sexual Assault Agencies:

SAFEPLAN Advocates make referrals to *domestic violence programs* (including back to their own host agency) to connect clients with a variety of services including:

- Emergency shelter;
- Transitional housing;
- Individual counseling (adult and child);

² Stoever, J. (2011). Freedom from Violence: Using the Stages of Change Model to Realize the Promise of Civil Protection Orders. *Ohio St. Law Journal*, 72 (303).

- Support groups; and
- Emergency aid – food/clothing, transportation assistance, etc.

Sexual assault program referrals provide clients with a variety of sexual assault specific services including:

- Medical advocacy;
- Legal advocacy;
- Individual counseling (adult and child);
- Support groups; and
- Case management.

Referrals to Police:

SAFEPLAN Advocates may refer a client to the police department or provide contact information for a particular officer so that the client can call to confirm service of an order on their abuser, to file a criminal complaint, to work together to arrange for pickup of the abuser's personal belongings, or to retrieve their own belongings among other services.

Referrals to District Attorneys' Offices:

The referral to a Victim Witness Advocate (VWA) is particularly important when criminal charges are pending or being considered. A SAFEPLAN Advocate may refer a client to the DA's Office/VWA for the following reasons:

- To discuss the possibility of criminal charges as a result of their abuse;
- To seek information about a pending criminal case;
- To obtain information about their rights as victims; or
- For any other services the VWA can provide such as bail notification.

Referrals to Legal Services:

SAFEPLAN clients, especially those with children, often have legal issues beyond the protective order process. Legal assistance may be necessary for clients seeking a protective order who also have issues related to housing, education, immigration, among others. SAFEPLAN Advocates have established strong relationships with a variety of legal services programs throughout the state which has enabled victims to secure legal assistance through a direct referral from a SAFEPLAN Advocate. This support is particularly crucial for victims who must confront their abuser within the probate and family court and those who are victims of sexual assault.

Other Referrals:

Referrals are also made to other agencies and service providers including, but not limited to: the Department of Transitional Assistance, Department of Children and Families, Address Confidentiality Program, Department of Revenue – Child Support Enforcement, mental health and/or substance abuse services, soup kitchens and food pantries, Massachusetts Parole Board – Victim Services Unit, and the Attorney General's Office - Victim Compensation Division.

1.6 Updated Statistical Collection and Service Analysis

In order to add more context to the client numbers presented in this report, SAFEPLAN Advocates were asked to track the time spent with clients to illustrate how complex issues victims often present requires a significant amount of time to assist them. The sheer number of clients served is impressive unto itself, but these numbers vary among SAFEPLAN Advocates depending on the location and activity of the particular court they are stationed. For example, SAFEPLAN Advocates in Worcester District Court typically report assisting over 100 clients in one month – whereas SAFEPLAN Advocates in East Brookfield District Court, also in Worcester County, may report assisting only 10 clients during the same time period. Simply providing service numbers negates the amount of time SAFEPLAN Advocates spend with clients, particularly Advocates stationed in rural courts where client volume is lower but assisting them takes more time due to the lack of resources, transportation services, or proximity to police or other needed supports.

Over the past six months, SAFEPLAN Advocates collectively reported spending over **2,000 hours per month** assisting clients, and each Advocate reported how their time fluctuates given the needs of an individual case. For example, a SAFEPLAN Advocate can spend as little as 30 minutes explaining the restraining order process to a client who is just looking for information or as much as 8 hours with a survivor who wants to leave his/her abuser and has nowhere to go. The following case examples were provided by SAFEPLAN Advocates to illustrate the level of services they provide to some of their more complex and time consuming cases.

BRISTOL COUNTY:

“Jane” came into the office one Monday morning after being raped by a trusted friend and co-worker over the weekend. The police had been called and she had been taken to the hospital, submitted to a rape kit, and received medical treatment - however was unable to fill the prescriptions she received because she did not have the money for the co-pays. The rapist had been arrested and was going to be arraigned in the neighboring court. I helped Jane file for a 258E Harassment Prevention Order and connected her with the Victim Witness Advocate in the District Attorney’s Office. I also prepared her for the hearing and we began creating a safety plan.

The problem of the co-pays was overwhelming to Jane. I called Victim Compensation which had a program to cover these expenses with participating CVS pharmacies. Jane submitted her application to Victim Compensation and was accepted immediately. Victim Compensation located pharmacies that would honor these prescriptions but unfortunately none of them were located near the rural community Jane resided nor did she have transportation to access them.

I contacted [my host agency] to see if we could find an alternative solution. [The agency] possessed gift cards for CVS but would need a dollar amount to process them

accordingly. With Jane's permission, I called the local CVS to coordinate with the pharmacist who used Jane's insurance information to estimate what the co-payment would be. With this information, gift cards were provided that covered all expenses and Jane was able to access the medications she needed. The following day, Jane and I submitted the necessary receipts and paperwork for reimbursement from Victim Compensation which were accepted and processed immediately.

Jane connected with me again as she went through the 10 day hearing for an extension of her protective order, which was approved. We updated her safety plan, discussed other services available in the area, and I offered my continued services if she had any additional issues accessing services.

WORCESTER COUNTY:

A survivor came into court regarding a violation of her permanent restraining order. The survivor explained that her abuser, who was currently incarcerated for her attempted murder, had sent her Facebook messages from prison. She reported this to the police who could not act on these violations because the most recent restraining order on record showed the "no contact" order was no longer in effect.

I assisted the client in reviewing her restraining order file and we learned the defendant had filed to vacate the restraining order at least once a year since his incarceration. His most recent attempt succeeded in having a judge vacate the "no contact" provision of the order which was modified to a "No Abuse Only" order. The client never received notice of the hearing or this modification because when it was filed her address was impounded (not listed on the protective order) and she was living in shelter at the time. Additionally, we noticed that another motion to terminate the permanent order had been filed and the hearing was scheduled for that very day.

I assisted the survivor by preparing her for the hearing and discussing all options available to her. We filed a motion to add the "no contact" and "stay away" provisions of the original order and I accompanied her into the courtroom. The abuser's attorney asked for a continuance so that the abuser could be present which was ultimately approved by the Judge for a later date.

I referred the survivor to [a legal services agency] where a legal advocate was able to assist in all subsequent hearings. The survivor was ultimately granted her request to add the "no contact" and "stay away" provisions of her original order and the abuser's motion to terminate the permanent order was denied. The survivor said she was so grateful for my help and the referral to legal aid – something she would never have considered on her own. She stated that it would not have been possible without SAFEPLAN's support and expressed feeling relief that she could now move forward feeling safe.

HAMPDEN COUNTY:

“Jill” came to court regarding a recent incident of domestic violence perpetrated by her partner who was on probation. Jill met with the offender’s Probation Officer who brought her to my office for further assistance in obtaining a restraining order and reporting the incident to the police.

The local police came to [the court] to take the report from Jill where I supported her during the process. I also accompanied Jill to speak with [the Probation Officer] to discuss ramifications of the offender violating his conditions and the upcoming Detention Hearing where she would have to testify. [The Probation Officer] reassured Jill that police were actively looking to arrest the offender and they would notify us of any news.

Jill was very concerned and afraid that the offender was still out in the community. I explained to her what safety planning is and we discussed her options around safe places for her to go until the defendant is arrested. After creating a safety plan, which included her checking in with me periodically, and receiving approval on her restraining order, Jill left the courthouse.

Several hours later, the police notified me once the offender was arrested. I immediately contacted Jill to make sure she was aware. She came back to court where we discussed a new safety plan and I referred her to our partner agency, another domestic violence victim service provider in the area, to help Jill relocate and access counselling services she needed. The offender was arraigned on new charges and held until his Probation Hearing. Jill was incredibly helpful for all my assistance and appreciated the attention and care she received.

Section 2: SAFEPLAN Administration, Partnerships, and Funding

2.1 Massachusetts Office for Victim Assistance (MOVA) SAFEPLAN Administration

MOVA was established by the enactment of the Massachusetts Victim Bill of Rights (G.L. c. 258B) in 1984 and has administered SAFEPLAN since 1995. The program is solely managed by a full-time Program Coordinator with supervision from MOVA's Director of Grants Management and the Deputy Director. Day-to-day programmatic and fiscal responsibilities include:

- Designing and implementing the SAFEPLAN Certification Training curriculum;
- Developing continuing education opportunities for Advocates;
- Conducting quarterly Advocate meetings/trainings for each region;
- Evaluating and maintaining the SAFEPLAN statistical database on client services;
- Ensuring compliance with grant guidelines and programmatic requirements through site visits, monitoring program performance, and reviewing and approving invoices;
- Forecasting and allocating funding and monitoring budgets and spending; and
- Completing annual and/or quarterly reports to the Legislature and federal funders.

Additionally, MOVA's SAFEPLAN Program Coordinator directly facilitates coordination and collaboration between host agencies, the courts, and District Attorneys' Offices to ensure a unified and effective response in each courthouse served.

A. SAFEPLAN Certification and Training Process

To become a certified SAFEPLAN Advocate, advocates, interns, and volunteers must complete their host agency's domestic violence training designed to meet the requirements under G.L. c. 233 § 20K. For dual agencies (domestic violence and sexual assault), advocates must also complete the sexual assault counselor training designed to meet the requirements under G.L. c. 233 § 20J. Advocates must also complete the SAFEPLAN Certification Training - a four day, classroom-based curriculum (provided by MOVA), and fulfill a minimum of 20 hours shadowing a certified SAFEPLAN Advocate in court.

Advocates are provided regular ongoing training opportunities by MOVA through quarterly regional meetings and bi-annual "Continuing Education Series" sessions. Approximately 60% of current SAFEPLAN Advocates have been employed as such for five years or more. It is essential that these Advocates – and all SAFEPLAN Advocates - remain engaged and apprised of best practices and new trends in the field.

B. Data Collection and Record Keeping

SAFEPLAN Advocates collect demographic information and track services provided for each client using a client tracking log. Data for 209A Restraining Orders and 258E Harassment Protection Orders are collected and reported separately. At the conclusion of each month, Advocates compile the data and submit standard statistical forms and provide summaries of the data to MOVA. Identifying client information is confidential and not transmitted. In addition, all SAFEPLAN funded agencies abide by the Commonwealth Terms & Conditions for Human and Social Services to maintain records related to their funding for a period of seven years.

2.2 SAFEPLAN Program Partnerships in the Courts

Through consistent quality services and working collaboratively with court staff, SAFEPLAN Advocates have built solid relationships with **local court personnel** in each courthouse SAFEPLAN serves. In most courts, SAFEPLAN Advocates are fully integrated into the court structure and are well respected for their experience and expertise. Court personnel have come to rely on SAFEPLAN Advocates to provide services to victims of domestic violence, sexual assault, and stalking – ensuring the delivery of accurate information and access to the comprehensive services they need to keep safe.

The **Trial Court** continues to be extremely supportive and committed to the program and the use of SAFEPLAN Advocates was noted as a preferred practice in both ex-parte protective order hearings and hearings after notice in the “*Guidelines for Judicial Practice: Abuse Prevention Proceedings*” published by the Executive Office of the Trial Court in October 1996, and later revised in September 2011. Guideline 3:09: Role of Advocates at Ex Parte Hearings and Guideline 5:02: Role of Advocates at a Hearing after Notice, both note that trained advocates play an important role in supporting the party through the hearing and assisting the party in providing the court with all relevant information.

2.3 SAFEPLAN Funding

In 2015, SAFEPLAN was funded by a state line item (0840-0101) and three federal funding sources. As previously noted, the elimination and reduction of two federal funding sources in FY2016 resulted in an approximate **\$340,000 funding cut** which required the reallocation of VOCA funding to fill this gap. This shifting of VOCA dollars reduced amounts available to other victim programming that MOVA administers throughout the state, many of which rely solely on VOCA funding to sustain direct services.

MOVA continues to work with our Federal legislative delegation, the National Association of VOCA Assistance Administrators, and the U.S. Department of Justice, Office for Victims of Crime to advocate for increased VOCA dollars each year, however inconsistent funding caps imposed on VOCA annually make fiscal planning and forecasting challenging. This inconsistency also makes unplanned funding shifts impactful to the other agencies that are reliant on VOCA. Thankfully, the reductions in

Byrne and VAWA funding were able to be absorbed by VOCA - but backfilling future reductions with VOCA cannot be considered a long-term solution to sustain SAFEPLAN services moving forward. This underscores the importance of the state's investment in this program and for the prospect of expanding services in the future.

A. State Line Item 0840-0101

SAFEPLAN first received funding in the FY1996 State Budget and since then has been the primarily source of funding for direct service positions for the program (in 2015, over 83% was allocated to direct service positions). The Massachusetts Legislature further invested in program expansion in FY2016 by awarding the line item an additional \$100,000 which enabled MOVA to sign contracts with two additional host agencies in Essex County to begin direct services in January of 2016. The services are anticipated to serve an additional 6 court locations which currently serve over 4,700 protective orders annually.

B. Edward J. Byrne Memorial Grant Program

Since FY2009, MOVA has been awarded a Byrne Memorial Grant from the Executive Office of Public Safety and Security (EOPSS) in the amount of \$260,000. These funds have contributed to funding 7.5 full-time SAFEPLAN Advocate positions throughout the Commonwealth and supports the printing of SAFEPLAN brochures, travel to regional meetings, trainings, site visits, telephone expenses, and a portion of the salary and fringe costs for the SAFEPLAN Program Coordinator. This funding was eliminated in FY2016 (July 1, 2015) so MOVA increased VOCA funding to SAFEPLAN to maintain service levels.

C. Violence Against Women Act (VAWA)

In 2015, MOVA was awarded \$159,582 in VAWA funds from EOPSS (compared to \$243,900 received in 2014). VAWA dollars awarded to MOVA are exclusively applied to SAFEPLAN Advocate positions throughout the Commonwealth. As with the elimination of Byrne funding, this reduction was offset by increased VOCA funding to maintain these funded positions.

D. Victims of Crime Act (VOCA)

In 2015, \$1,167,806 of VOCA funding was allocated to SAFEPLAN. However, VOCA supports other crime victim service programs across the state (107 programs in FY2016), and many of those programs rely on VOCA as their sole source of direct service funding.

In summary, through the funding streams described above, MOVA was able to award a total of \$2,182,265 to community based agencies to provide SAFEPLAN services in 2015.

2.4 SAFEPLAN Expansion Planning

To determine realistic program expansion in counties not served by SAFEPLAN (Dukes, Essex, Nantucket, Norfolk, and Suffolk), MOVA facilitated needs assessments, convened public hearings, and conducted direct outreach to identify courts in-need of civil court advocacy services. This feedback identified a need in each county for civil advocacy services, but limited financial resources available required strategic and measured expansion of programming. In addition, Probation department data on protective orders issued annually as well as information provided by District Attorneys' Offices helped to identify one priority county for expansion, Essex County.

Essex County was selected given the high volume of protective orders issued, inconsistent or non-existent court advocacy services being provided, and strong local support and desire for SAFEPLAN services to be implemented in the area. MOVA engaged Essex County non-profit domestic and sexual violence service providers, court departments, and the Essex County District Attorney's Office to identify agencies that were currently providing court advocacy services in the county. After identifying eligible potential host agencies, MOVA met with agency leadership and direct service staff to discuss the regulatory, training, and on-going certification requirements to become a SAFEPLAN host agency.

In September of 2015, MOVA released a Request for Grant Applications (RGA) and received two applications to provide these services. The **YWCA of Greater Lawrence** applied to provide services in Haverhill District Court, Lawrence District Court, and the Essex Probate and Family Court in Lawrence. **Healing Abuse Working for Change (HAWC)** of Salem submitted an application to provide services in Lynn District Court, Salem District Court, and the Essex Probate and Family Court in Salem. These applications were approved by the Victim and Witness Assistance Board in November of 2015 with contracted services to begin in January of 2016.

Over the coming year, MOVA will work with the YWCA of Lawrence and HAWC SAFEPLAN Advocates to complete the 4-day SAFEPLAN Certification Training, 20 hours of shadowing with Senior SAFEPLAN Advocates, policies and procedures trainings, and instruction on data collection and retention requirements to get these programs certified and operational. In addition, MOVA staff, host agency leadership, and SAFEPLAN Advocates will meet with court personnel including judges, Clerk Magistrates, Court Officers, as well as officials from the Executive Office of the Trial Court to ensure successful collaborations and effective service delivery for victims seeking court ordered protections. MOVA will provide a status update of outcomes and efficiencies of this new programming in the 2017 SAFEPLAN Legislative Report.

Section 3: Funding Request for FY2017

3.1 Need for Maintaining Services and Program Efficiencies

Data from the most recent National Intimate Partner and Sexual Violence Survey (2010) indicates that about 1 in 4 women and 1 in 7 men have experienced severe physical violence by an intimate partner (e.g., hit with a fist or something hard, beaten, slammed against something) at some point in their lifetime.³ With **8,146** new clients served by SAFEPLAN Advocates in 2015, and over **54,000** new clients served in the past five years, SAFEPLAN Advocates continue to be an essential lifeline for clients facing violent and often life-threatening circumstances.

The complicated, confusing, and volatile nature of these cases cause many victims to arrive at the courthouse in a state of crisis and are in imminent fear. Many are unaware of their rights and the options available to them, ambivalent about the court process and the legal system, and fear confronting their perpetrator which may lead to retaliation or escalating violence. It is critical to have advocates available to clarify the ambiguities of the legal system and to be knowledgeable about and sensitive to the safety, medical, sociological, cultural, and psychological issues facing domestic and sexual violence victims.

Statistics from SAFEPLAN intake data in 2015 demonstrate that 69% of new SAFEPLAN clients had no prior contact with a domestic violence or sexual assault program before coming to court. This startling and compelling statistic underscores the critical importance of SAFEPLAN Advocates. They serve not only to ensure that victims of domestic and sexual violence receive assistance with safety planning and civil advocacy, but are a vital entry point and link to a broad continuum of services and resources for victims.

Victims of crime – particularly domestic and sexual violence victims - may resist using legal avenues to address their safety for a variety of reasons, including a perception of court as a place where they will be judged or not believed. While the laws have been carefully crafted to be readily accessible to all victims, navigating the legal system is still a monumental effort for many individuals. Research has validated the vital need for advocates at court to assist victims in this process and have found that leaving a battering partner may be the most dangerous time in that relationship. Women are 70 times more likely to be killed in the two weeks after leaving than at any other time during the relationship.⁴

Given the danger of separation, it is inherently risky to guide a victim into fast-paced litigation without first introducing a safety planning protocol, connecting the victim with

³ National Center for Injury Prevention and Control. Centers for Disease Control and Prevention. (2011, November 1). National Intimate Partner and Sexual Violence Survey: 2010 Summary Report.

⁴ Domestic Violence Intervention Program. (2015, January 1). Myths & Facts about Domestic Violence. Retrieved from <http://www.dvpiowa.org/myths-facts-about-domestic-violence/>.

community and financial resources, or helping him/her understand and weigh the range of alternatives. As beneficial as the protection order remedy is for many survivors, it may not be what each person would choose and it can be outright dangerous if entered into without addressing safety needs.⁵

Victims seeking protection orders are in legitimate fear of further abuse. It is vital that victims seeking protection receive immediate assistance in assessing their risks and developing a personalized safety plan – regardless of whether they ultimately choose to apply for a protective order. Safety planning is a critical step SAFEPLAN Advocates take with each client at intake – and Advocates remain available to provide follow-up support and modifications to the plan as clients’ needs and circumstances evolve over time.

Advocates across the state report that the combination of the ongoing economic climate and financial control at the hands of their abusers has resulted in many victims who are unable to afford to live alone and/or unable to sustain the needs of their children on their own. As a result, many victims of domestic and sexual violence have chosen to remain with their abusers, and delay obtaining a protective order. Regardless of whether a client seeks to obtain a protective order at a given time, the presence and intervention of SAFEPLAN Advocates - who are available to work with a victim to discuss how to remain safe *in* the relationship through development of a safety plan, and provide referrals to additional services when safe – can be essential to achieving safety.

Stabilizing SAFEPLAN services across the state is vital to ensuring that all victims of domestic and sexual violence are able to create a safety plan, discuss risks, and receive support and referrals whether they are ready to flee or not. SAFEPLAN Advocates not only provide victims with these tools, but empower the client with a variety of options so that they can make choices to keep themselves safe outside of a protective order – and know that there will be someone available to them when they are ready to flee.

Our most compelling evidence of the importance and effectiveness of the SAFEPLAN Program continues to be in the words of survivors:

"I want to tell you that my children and I were very impressed by a SAFEPLAN Advocate in the District Court. She is outstanding in her kindness, compassion, and desire to help people in need."

"Over the past two years the SAFEPLAN Advocate has assisted me and I want to tell you how exceptional she has been. She is truly an asset to the court. She always makes you feel at ease and comfortable in a very

⁵ Stoeve, J. (2011). Freedom from Violence: Using the Stages of Change Model to Realize the Promise of Civil Protection Orders. *Ohio St. Law Journal*, 72 (303).

awkward situation. Her assistance has been greatly appreciated.”

“Thank you. When you reached out and touched my arm, it was grounding and I was able to think. It’s not easy up there with your abused and his lawyer, hearing the lies and manipulations. You kept me from being all in my head and focused on the important stuff.”

“Thank you. You always had my back so I didn’t slide back into the relationship. It was always too easy to fall backwards but you were always there propping me up.”

These testimonials were collected from thank you cards, holiday cards, phone messages, and personal notes which were given to SAFEPLAN Advocates from clients over the past year, and truly highlight the difference the SAFEPLAN Program makes for so many victims of domestic and sexual violence.

3.2 MOVA Fiscal Management

MOVA has demonstrated its leadership and expertise to administer the SAFEPLAN Program for over 20 years and has a demonstrated a strong record of fiscal responsibility. Accountability regarding spending and effective program performance is a priority that MOVA emphasizes with our subgrantees. As an organization responsible for overseeing these funds, MOVA schedules regular site visits, provides annual grant guidelines trainings, and monitors program performance. MOVA also implements a high quality training program for SAFEPLAN Advocates, interns and volunteers – which is historically also open to all victim service providers to attend. It also keeps host agencies abreast of legal, policy and professional practice developments and maintains an open line of communication through the use of a listserv, site visits, quarterly regional meetings of SAFEPLAN Advocates, Senior SAFEPLAN Advocate meetings, continuing education trainings, and distribution of a regularly updated Policies and Procedures Manual.

Costs for this program are relatively low compared to the significant and impactful services that are provided across the state. MOVA has always prioritized funding for direct service positions and traditionally allocates approximately 17% of funding to administer the program (16.58% (\$129,766) in 2015 for 2 FTE).

3.3 FY2017 State Funding Request

MOVA is requesting level funding for SAFEPLAN line item 0840-0101 in FY2017 (\$1,000,458) to maintain current staffing levels and court locations. In addition to increasing demand for services, high profile domestic violence incidents and homicides in the state prompted the Legislature to enact changes to the Commonwealth’s domestic violence laws in 2014. These enhancements have impacted all systems assisting victims

of domestic violence and SAFEPLAN Advocates are playing a critical role in implementing many of these key provisions. It is essential that program resources adequately meet the demands that are placed on the program – otherwise these legislative advancements become unfunded mandates that will not achieve their intended goals of ensuring victim safety and offender accountability.

Although MOVA was able to reallocate VOCA funding to supplement funding reductions from other Federal funding sources to SAFEPLAN, this solution is not sustainable over the long term. The majority of victim services and programs supported by VOCA do not have state line items or other funding sources to help sustain them – making this reallocation to SAFEPLAN essentially a funding cut for other services that assist domestic and sexual violence victims throughout the state. Given SAFEPLAN has been supported primarily via state dollars over the past two decades, we ask the Legislature maintain this commitment and at minimum support maintenance funding to the program in FY2017.

MOVA is grateful for the Legislature's ongoing support of the SAFEPLAN Program and will continue working with state leaders to support and expand this comprehensive court advocacy program. The significant impact this program has across the state is due to the effectiveness and resourcefulness of our network of SAFEPLAN host agencies and advocates who help thousands of domestic and sexual violence victims annually. As we enter our 21st year of providing these lifesaving services, we ask the Legislature to continue supporting SAFEPLAN at its current funding levels to ensure services are accessible and equitable for victims and their families seeking help from abuse.

Appendix A: Statewide, County, and Court Statistical Tables

STATEWIDE TOTALS: January 1, 2015 through December 31, 2015

In 2015, SAFEPLAN Advocates assisted a total of **19,938 clients** (**8,146** of which were new clients) and provided **52,122** referrals. The following charts detail these service numbers by courts and counties served.

**The following statistics are combined 209A and 258E, unless listed as a Probate & Family Court, which does not have jurisdiction over 258E*

***Essex County is not included in this report given that services will begin in January 2016*

Barnstable County

Court	Number of New Clients	Number of New Clients w/out Prior DVP Contact	Number of Total Client Contacts
Barnstable Probate & Family	164	88	320
Barnstable District	269	177	427
Falmouth District	233	122	381
Orleans District	168	140	279
GRAND TOTAL	834	527	1,407

Berkshire County

Court	Number of New Clients	Number of New Clients w/out Prior DVP Contact	Number of Total Client Contacts
Berkshire Probate & Family	72	39	249
Northern Berkshire District – North Adams	128	70	404
Southern Berkshire District – Great Barrington	51	34	109
GRAND TOTAL	251	143	762

Bristol County

Court	Number of New Clients	Number of New Clients w/out Prior DVP Contact	Number of Total Client Contacts
Attleboro District	174	139	274
Bristol Probate & Family – Fall River	81	74	234
Bristol Probate & Family – New Bedford	7	6	14
Bristol Probate & Family - Taunton	151	113	296

Fall River District	337	302	831
New Bedford District	344	237	1,254
Taunton District	218	157	449
GRAND TOTAL	1,312	1,028	3,352

Franklin County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Franklin Probate & Family	22	15	84
Greenfield District	162	114	448
Orange District	126	94	279
GRAND TOTAL	310	223	811

Hampden County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Chicopee District	119	89	354
Hampden Probate & Family	296	258	907
Holyoke District	284	219	368
Westfield District	207	86	476
GRAND TOTAL	906	652	2,105

Hampshire County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Eastern Hampshire District	181	9	474
Hampshire Probate and Family	38	22	364
Northampton District	100	54	685
GRAND TOTAL	319	85	1,523

Middlesex County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Ayer District	105	91	233
Middlesex Probate & Family	52	23	75
GRAND TOTAL	157	114	308

Plymouth County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Brockton District	498	328	1,290
Hingham District	375	62	470
Plymouth Probate & Family - Brockton	103	56	265
Plymouth Probate & Family - Plymouth	147	98	264
Plymouth District	201	165	462
Wareham District	372	262	631
GRAND TOTAL	1,696	971	3,382

Worcester County

<i>Court</i>	<i>Number of New Clients</i>	<i>Number of New Clients w/out Prior DVP Contact</i>	<i>Number of Total Client Contacts</i>
Clinton District	77	73	242
Dudley District	310	231	852
East Brookfield District	242	149	899
Fitchburg District	229	214	693
Gardner District	126	106	350
Leominster District	199	183	400
Milford District	190	139	496
Uxbridge District	155	117	617
Westborough District	116	90	373
Winchendon District	70	62	234
Worcester District	500	416	899
Worcester Probate and Family	147	123	233
GRAND TOTAL	2,361	1,903	6,288

SAFEPLAN Programs and Courts in Massachusetts

